

United States Court of Appeals For the First Circuit

No. 20-2195

SIERRA CLUB; NATURAL RESOURCES COUNCIL OF MAINE; APPALACHIAN
MOUNTAIN CLUB,

Plaintiffs - Appellants,

v.

UNITED STATES ARMY CORPS OF ENGINEERS; COLONEL JOHN A. ATILANO, II,
Commander and District Engineer, in his official capacity; JAY L. CLEMENT, Senior Project
Manager, in his official capacity; CENTRAL MAINE POWER COMPANY,

Defendants - Appellees.

Before

Lynch, Thompson and Barron,
Circuit Judges.

ORDER OF COURT

Entered: January 15, 2021

Plaintiffs-Appellants, a group of three non-profit organizations, appeal a ruling by the district court denying a preliminary injunction. Plaintiffs-Appellants sought to enjoin permitting approval by the United States Department of Army Corps of Engineers as to an energy project. After requesting and being denied an injunction against commencement of the work pending appeal before the district court, see Fed. R. App. P. 8(a)(1)(A), Plaintiffs-Appellants moved this court for an injunction against commencement of construction in Segment 1 of the project while their appeal is pending. That motion is granted subject to further order of this court. Appellants shall file their opening brief on the merits within ten days of the date of this order. Appellees shall file their response brief(s) within ten days after Appellants file their brief. The opening and response briefs shall be limited to 30 pages each. Appellants shall file any reply within five days after Appellees file their response brief(s). The reply brief shall be limited to 10 pages.

By the Court:

Maria R. Hamilton, Clerk

cc:

Hon. Lance E. Walker

Christa Berry, Clerk, United States District Court for the District of Maine

Kevin Cassidy

Lia Comerford

Susan J. Ely

Julia M. Lipez

Benjamin R. Carlisle

Amelia G. Yowell

Jacob David Ecker

Kristofor R. Swanson

Matthew D. Manahan

Joshua D. Dunlap

Lisa Gilbreath<B